

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Magnesium Machine, LLC et al.,)	
)	Case No. 1:19-cv-2818-DCN
Plaintiffs,)	
)	Judge Donald C. Nugent
vs.)	
)	
Terves LLC et al.,)	
)	
Defendants.)	

**Terves, LLC's Unopposed Motion to File
Under Seal Unredacted Version of Memorandum in
Support of Motion to Dismiss Complaint Under Rule 12(b)(6)**

Defendant Terves, LLC moves the Court unopposed, under Local Rule 5.2, to file under seal Terves' Unredacted Version of Memorandum in Support of Motion to Dismiss Complaint Under Rule 12(b)(6).

On May 11, 2020, Terves' moved to dismiss the complaint under Rule 12(b)(6). (ECF #42.) Terves' memorandum in support of its motion to dismiss (the "Memorandum") includes references to what plaintiffs Magnesium Machine, LLC, Magnesium Holdings, LLC, and Paramount Design, LLC (collectively, "MMP") allege is trade secret.

While Terves disputes that there are any bona fide trade secrets in this case, to protect the confidentiality of what MMP alleges is trade secret until a judicial determination is made, Terves moves the Court for leave to allow Terves to file the unredacted version of the Memorandum under seal. Contemporaneous with this filing, Terves has emailed to MMP's counsel a proposed "public version" of the Memorandum that redacts what MMP alleges is trade secret. If MMP agrees to those redactions, Terves

will file that redacted version of the Memorandum as a public version on the docket. Terves has also emailed the unredacted, confidential version of the Memorandum to the Court's chambers and copied MMP's counsel on that email.

The Defend Trade Secrets Act authorizes filing certain information under seal in these circumstances. *See* 18 U.S.C. § 1835(a) ("the court shall enter such orders and take such other action as may be necessary and appropriate to preserve the confidentiality of trade secrets"). Furthermore, MMP has requested that Terves file any reference to the alleged trade secret under seal, so this motion is unopposed as it is requested by MMP.

For these reasons, the Court should grant Terves leave to file an unredacted version of the memorandum in support of its motion to dismiss under seal.

Respectfully submitted,

Dated: May 11, 2020

s/ Matthew J. Cavanagh
David B. Cupar (OH 0071622)
Matthew J. Cavanagh (OH 0079522)
MCDONALD HOPKINS LLC
600 Superior Avenue, East, Ste. 2100
Cleveland, Ohio 44114
t 216.348.5400 | f 216.348.5474
dcupar@mcdonaldhopkins.com
mcavanagh@mcdonaldhopkins.com

Counsel for Terves LLC